

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**IRA BROUS and MICHELLE**

**SCHUSTER**, on behalf of themselves and all  
others similarly situated,

- against -

Plaintiff(s),

**SECOND REVISED CIVIL CASE  
DISCOVERY PLAN  
AND SCHEDULING ORDER**

**ELIGO ENERGY, LLC and ELIGO  
ENERGY NY, LLC,**

Defendant(s).

24 CV 1260 (ER)

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This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):


1. All parties [consent] do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences. (If all parties consent, the remaining paragraphs of this form need not be completed.)
2. This case is [is not] to be tried to a jury.
3. Joinder of additional parties must be accomplished by 8/13/24.
4. Amended pleadings may be filed until 11/13/24.
5. Interrogatories shall be served no later than 1/14/25, and responses thereto shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 shall [shall not] apply to this case.
6. First request for production of documents, if any, shall be served no later than 6/28/24.
7. Non-expert depositions shall be completed by 6/20/25.
  - a. Unless counsel agree otherwise or the Court so orders, depositions shall not be held until all parties have responded to any first requests for production of documents.
  - b. Depositions shall proceed concurrently.

8. Any further interrogatories, including expert interrogatories, shall be served no later than 9/19/25.
9. Requests to Admit, if any, shall be served no later than 1/14/25.
10. Expert reports shall be served no later than 7/25/25.
11. Rebuttal expert reports shall be served no later than 9/12/25.
12. Expert depositions shall be completed by 10/17/25.
13. **ALL DISCOVERY SHALL BE COMPLETED BY 10/17/25**.
14. Any motions shall be filed in accordance with the Court's Individual Practices.<sup>1</sup>
15. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference).
16. The Magistrate Judge assigned to this case is the Hon. Gary Stein.
17. If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.

SO ORDERED.

Dated: New York, New York

May 16, 2025

  
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Edgardo Ramos, U.S. District Judge

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<sup>1</sup> Plaintiffs shall serve the moving papers for a motion for class certification no later than October 10, 2025. Answering papers shall be served by November 21, 2025, and reply papers by December 12, 2025.